

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

December 1, 2016

A meeting of the Manistee City Planning Commission was held on Thursday, December 1, 2016 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

ROLL CALL

Members Present: Maureen Barry, Ray Fortier, Marlene McBride, Mark Wittlieff, Roger Yoder

Members Absent: Aaron Bennett (excused), Vacancy

Others: Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Marlene McBride that the agenda be approved as prepared.

With a Roll Call vote this motion passed 5 to 0

Yes: Barry, Fortier, McBride, Wittlieff, Yoder
No: None

APPROVAL OF MINUTES

Motion by Mark Wittlieff, seconded by Marlene McBride that the minutes of the November 3, 2016 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Fortier, Barry, McBride, Wittlieff, Yoder
No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Election of Officers 2017

According to the By-Laws of the City of Manistee Planning Commission their annual election of Officers is held at the December Meeting for the following year.

Chair - At this time the meeting was turned over to Denise Blakeslee who asked for nominations for the Position of Chair.

Marlene McBride, nominated Mark Wittlieff for the position of Chair. Nominations were asked for three times. There being no other nominations, nominations were closed.

With a roll call vote, Mark Wittlieff was elected Chair of the Planning Commission for 2017, 5 to 0.

Yes: Wittlieff, McBride, Barry, Fortier, Yoder
No: None

Vice-Chair – Denise Blakeslee asked for nominations for the Position of Vice-Chair.

Ray Fortier nominated Maureen Barry for the position of Vice-Chair. Nominations were asked for three times. There being no other nominations, nominations were closed.

With a roll call vote, Maureen Barry was elected Vice - Chair of the Planning Commission for 2017, 5 to 0.

Yes: Yoder, Fortier, Barry, McBride, Wittlieff
No: None

Secretary – Denise Blakeslee asked for nominations for the Position of Secretary.

Ray Fortier nominated Marlene McBride for the position of Secretary. Nominations were asked for three times. There being no other nominations, nominations were closed.

With a roll call vote, Marlene McBride was elected Secretary of the Planning Commission for 2017, 5 to 0.

Yes: Barry, Wittlieff, McBride, Fortier, Yoder
No: None

Appointment of a Recording Secretary 2017 Once Elected the Secretary may appoint a Recording Secretary to handle the administrative functions of the office. Marlene McBride appointed Denise Blakeslee to act as the Recording Secretary for the Planning Commission for the year 2017.

Clear Zoning Audit – Zoning Amendments

As part of the Redevelopment Ready Community Certification process a Zoning Audit was prepared by Clear Zoning. The Commissioners reviewed the Zoning Audit that was performed by Clear Zoning and begin discussion on recommended Zoning Amendments that are a result of the Audit.

Incidentals

- VARIOUS / Add “Zoning” to Administrator and “Planning” to Commission as needed
- Article 2 Definitions/ AMEND Item B - Building Envelope
- Article 2 Definitions / ADD Item S - Solar Energy System and Solar Storage Battery
- Article 2 Definitions /Item S - Sexually Oriented Business AMEND DEFINITIONS FOR Adult Arcade, Adult Bookstore or Adult Video Store, Adult Cabaret, Adult Motel, Adult Motion Picture Theater
- ADD DEFINITIONS FOR Adult Minim-Motion Picture Theater, Nudity or State of Nudity, Permittee and or Licensee, Semi-Nude
- Article 2 Definitions AMEND /Item S - State Licensed Residential Facilities
- Article 3 / Table 3-1 – CORRECT PD Floor Area (typo Change from 550 to 500)
- Article 3 / Table 3-2 – REMOVE Wind Energy Conversion as a Special Use in R-3
- Article 5 General Provisions/ AMEND Section 509 Height
- Article 5 General Provisions/ ADD Section 529 Solar Energy System
- Article 10 R-3 High Density Residential - REMOVE Wind Energy Conversion as a Special Use – Sections 1000 & 1002
- Article 16 L-I Light Industrial – AMEND 1600 Purpose and Intent

Commissioners did not have any concerns about proposed amendments, staff will forward to City Attorney for review.

Child & Adult Residential Care Facilities – Commissioners will review language and further discuss potential amendments once staff speaks with the City Attorney.

Convenience Store w/fuel pumps / Gasoline Station

- Article 3/Table 3-2 – DELETE Convenience Store, w/fuel pumps as a use
- Article 3/Table 3-2 – CHANGE Convenience Store, wo/fuel pumps to Convenience Store
- Article 3/Table 3-2 – ADD Gasoline Station as a SLU in C-2
- Article 13 C-1 Regional Commercial – DELETE Convenience Store w/fuel pumps as a SLU from Sections 1300 and 1302
- Article 14 C-2 Neighborhood Commercial - DELETE Convenience Store w/fuel pumps as a SLU from Sections 1400 and 1402
- Article 14 C-2 Neighborhood Commercial – ADD Gasoline Station as a SLU in Sections 1400 and 1402
- Article 18 Special Uses/ DELETE Section 1822 Convenience Store with Fuel Pumps
- Article 18 Special Uses/ AMEND Section 1841 Gasoline Station

Commissioners discussed changes and finalize language in Section 1841.F.5 to read: *Dismantled, wrecked, or immobile vehicles shall not be permitted to be stored on site.* Staff will forward to City Attorney for review.

Dumpster Standards

- Article 5 General Provisions/ADD Section 506 Dumpsters and Enclosures
- Article 18 Special Uses / AMEND all sections that reference dumpsters

Commissioners discussed the development of Dumpster Standards and removed draft language that required the installation of bollards and asked staff to forward to the City Attorney for review. .

Parking Standards

- Article 2 Definitions/ ADD definitions for Electric Vehicle, Electric Vehicle Charging Station and Electric Vehicle Parking Space
- Article 5 General Provisions/ AMEND Section 514 by adding Vehicle Stacking; Deferred Parking; Electric Vehicle Parking; Bike Parking standards
- Article 18 Special Uses /AMEND Section 1828 Drive-Through Establishments, Item 4 Stacking Areas

Commissioners discussed proposed changes and asked staff to forward to the City Attorney for review.

Signs

- Article 2 Definitions / Section B AMEND definition of Billboard – two options are proposed for discussion
- Article 2 Definitions / Section S DELETE definitions that are content based (Items D, J, K, O, Q U and Amend W)
- Article 3/ Table 2 – DELETE Gallery or Museum and Place of Public Assembly Small as a SLU since there are no Key Street Segments in the R-1 Low Density Residential Zoning District
- Article 5 General Provisions / DELETE item B.5 from Section 534
- Article 8 R-1 Low Density Residential / DELETE Gallery or Museum/Places of Public Assembly Small from Section 800 & 802 as a SLU with Key street frontage
- Article 18 Special Uses / AMEND Section 1814 Billboard Item A – two options are proposed for discussion
- Article 18 Special Uses / AMEND Section 1847 Home Occupations Items B.1 & B.2
- AMEND Article 21 Signs - PC will need to establish sign areas for SIGN REGULATION TABLE

Staff will ask the City Attorney for input on the definition of Billboards and to review the draft to make sure that it will meet the standards of the 2016 Supreme Court decision in Reed vs Gilbert. The commission will need to finalize the Sign Regulation Table and staff will discuss with the City Attorney the requirement of permits.

Communication Towers / CHANGED TO / Wireless Communication Facilities

- Article 2 Definitions / Section C DELETE Definition for Communication Tower
- Article 2 Definitions / Section W ADD definition for Wireless Communication Facility
- Article 3 /Table 2 DELETE Communication Towers as a Use
- Article 3 / Table 2 ADD Wireless Communication Facility as a Use
- Article 10 R-3 High Density Residential – CHANGE Communication Tower to Wireless Communication Facility in Section 1000 & 1002
- Article 12 WF Waterfront District / CHANGE Communication Tower to Wireless Communication Facility in Section 1200 & 1202
- Article 13 C-1 Regional Commercial / CHANGE Communication Tower to Wireless Communication Facility in Section 1300 & 1302

- Article 16 L-I Light Industrial CHANGE Communication Tower to Wireless Communication Facility in Section 1600 & 1602
- Article 18 Special Uses – DELETE Section 1819 Communication Tower
- Article 18 Special Uses – ADD Section 1893 Wireless Communication Facilities – Language has been updated from language used for Communication Tower including requirements under the Planning Enabling Act.

Commissioners discussed proposed amendment. Staff will forward to City Attorney for review.

Mixed Use - Clear Zoning recommends that Mixed Use become a use by right in other zoning districts as needed. Commissioners reviewed table of Uses and determined that Mixed Use should be changed from a Special Use to a Use by Right in the G-C Golf Course, W-F Waterfront, C-1 Regional Commercial, and C-2 Neighborhood Commercial and C-3 Central Business Districts.

USES	P-D Peninsula District	G-C Golf Course	R-1 Low Density	R-2 Med Density	R-3 High Density	R-4 Mfg. Housing	W-F Water- front	C-1 Reg'l Com	C-2 Neigh. Bus	C-3 Central Bus	L-I Light Ind	G-I Gen Ind
Mixed-Use Development	R	SLU R	SLU	SLU	SLU	SLU	SLU R	SLU R	SLU R	SLU R		

Eating and Drinking Establishments - During the public hearings it was noted that we do not have enough restaurants in the City. Commissioners reviewed table of Uses and determined that Eating and Drinking Establishments should be changed from a Special Use to a Use by Right in W-F Waterfront, and C-2 Neighborhood Commercial Districts.

USES	P-D Peninsula District	G-C Golf Course	R-1 Low Density	R-2 Med Density	R-3 High Density	R-4 Mfg. Housing	W-F Water- front	C-1 Reg'l Com	C-2 Neigh. Bus	C-3 Central Bus	L-I Light Ind	G-I Gen Ind
Eating and Drinking Establishment	R	R		SLU*	SLU*		SLU R	R	SLU R	R	SLU	

Fences - Staff has discussed with the City Manager the amount of time being spent on issuing Fence Permits vs other duties. The Commissioners agreed with the recommendation to remove the requirements for fence permits.

MASTER PLAN/ZONING MAP

Section 3.4.5 Comparative Analysis of Future Land Use and Existing Zoning from the Master Plan indicated the number of nonconforming parcels in the City. Staff discussed the need to determine if any changes should be made to the Zoning Map and or changes in Zoning District standards. There were four areas that were discussed by the Commission as follows:

- R-3 High Density Zoning District located in the Northside – Lots were platted at 40' x 100' and there are 53 Non-Conforming Parcels.
- R-3 High Density Zoning District located north of First Street East of Maple Street – the majority of the nonconformities in this area were created by splitting platted 60 foot lots in half.
- R-1 area east of Cherry Street, shown on the future land use map as Medium Density Residential, by rezoning from R-1 Low Density Residential to R-2 Medium Density Residential all except for 2 parcels will go from Non-Conforming parcels to parcels that conform to the Zoning Requirements.

- R-2 Medium Density Residential Districts – there are numerous parcels throughout the District that have been split over the years that cannot meet the requirements of the district. The continued uses of these parcels are permitted as legal non-conforming parcels. There are not a significant number of parcels in one area to justify rezoning an area from R-2 to R-3.

The Commissioners wanted additional time to review information to determine if changes to the zoning map should be made or reduction in the R-3 Zoning Standards should be considered.

Staff brought to the Commission's attention that the parcels where Family Video/China Buffet is located on Cypress Street, the parking lot is zoned C-2 and the buildings are zoned R-2. The Commission discussed re-zoning the entire block to C-2.

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning Administrator – Commissioners were invited to the RRC Certification Presentation on January 20, 2017.

The next regular meeting of the Planning Commission will be held on Thursday, January 5, 2017

ADJOURNMENT

Motion by Ray Fortier, seconded by Mark Wittlieff that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 8:22 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary